

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

|                              |   |              |
|------------------------------|---|--------------|
| RUDOLPH HENRY, et al.        | : | CIVIL ACTION |
|                              | : |              |
| Plaintiffs                   | : |              |
|                              | : |              |
| v.                           | : | NO. 09-1584  |
|                              | : |              |
| CITY OF PHILADELPHIA, et al. | : |              |
|                              | : |              |
| Defendants                   | : |              |

**ORDER**

AND NOW, this 30th day of September, 2010, upon consideration of the motion for summary judgment filed by Defendants George Orth, Christopher Bradshaw, Joseph Schiavone, and Daniel Zorawski (Doc. No. 40) and the parties' responses and replies thereto, **IT IS HEREBY ORDERED THAT** the motion for summary judgment is **GRANTED IN PART AND DENIED IN PART** for the reasons set forth in the memorandum opinion filed this date.

**IT IS FURTHER ORDERED THAT:**

1. Plaintiffs' claims against Defendants Orth and Schiavone are **DISMISSED**;
2. The federal claims remaining against Defendant Zorawski (Counts I, II) and Defendant Bradshaw (Counts V, VI) may proceed solely on a theory of excessive force.

BY THE COURT:

/s/ Timothy R. Rice, for  
DAVID R. STRAWBRIDGE  
UNITED STATES MAGISTRATE JUDGE